

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

HARVEY LEWIS  
ADC #144681

PLAINTIFF

v.

5:18CV00221-JM-JJV

VARNER UNIT; *et al.*

DEFENDANTS

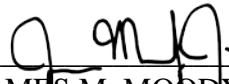
**ORDER**

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Partial Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff is allowed to proceed on his claim against Defendant Gloria Price.
2. Defendant Varner Unit is DISMISSED without prejudice from this action due to Plaintiff's failure to state a viable claim against it.
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order adopting the recommendations would not be taken in good faith.

DATED this 24<sup>th</sup> day of September, 2018.

  
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JAMES M. MOODY, JR.  
UNITED STATES DISTRICT JUDGE